United Nations CAC/COSP/WG.2/2018/1

Conference of the States Parties to the United Nations Convention against Corruption

Distr.: General
13 March 2018

Original: English

Open-ended Intergovernmental Working Group on Asset Recovery
Vienna, 6 and 7 June 2018

Annotated provisional agenda

Provisional agenda

1. Organizational matters:
   (a) Opening of the meeting;
   (b) Adoption of the agenda and organization of work.
2. Overview of progress made in the implementation of asset recovery mandates.
3. Forum for advancing practical aspects of asset recovery, including challenges and good practices.
4. Thematic discussions:
   (a) Timely sharing of information to enable States parties to take appropriate action, in accordance with article 56 of the Convention: collection of data with a view to developing non-binding guidelines;
   (b) Improving communication and coordination between various asset recovery practitioner networks, with a view to developing guidelines for the proactive and timely sharing of information.
5. Forum for discussions on capacity-building and technical assistance.
6. Adoption of the report.

Annotations

1. Organizational matters

(a) Opening of the meeting

The meeting of the Open-ended Intergovernmental Working Group on Asset Recovery will be opened on Wednesday, 6 June 2018, at 10 a.m.

(b) Adoption of the agenda and organization of work

The provisional agenda for the meeting was prepared in accordance with resolution 7/1, entitled "Strengthening mutual legal assistance for international cooperation and asset recovery", adopted by the Conference of the States Parties to the United Nations Convention against Corruption at its seventh session, held in

V.18-01488 (E) 210318 220318

Please recycle

Vienna from 6 to 10 November 2017, to enable the Working Group to consider the agenda items within the time and according to the conference services available.

In its resolution 7/1, the Conference invited the Working Group to propose future agenda items. It also identified four areas of work related to asset recovery and decided that the Working Group should continue its work by addressing those areas of work. On the basis of that resolution, the Secretariat has prepared a workplan for the period 2018–2019 for consideration by the Working Group.

Documentation

Note by the Secretariat on the proposed workplan of the Open-ended Intergovernmental Working Group on Asset Recovery, 2018–2019 (CAC/COSP/WG.2/2018/4)

2. Overview of progress made in the implementation of asset recovery mandates

The mandate of the Working Group, as set out in Conference resolution 1/4, consists of the following functions:

(a) Assisting the Conference in developing cumulative knowledge in the area of asset recovery;

(b) Assisting the Conference in encouraging cooperation among relevant existing bilateral and multilateral initiatives, and contributing to the implementation of the related provisions of the Convention;

(c) Facilitating the exchange of information by identifying good practices and disseminating them among States;

(d) Building confidence and encouraging cooperation between requesting and requested States by bringing together relevant competent authorities and anti-corruption bodies and practitioners involved in asset recovery and the fight against corruption and by serving as a forum for them;

(e) Facilitating the exchange of ideas among States on the expeditious return of assets;

(f) Assisting the Conference in identifying the capacity-building needs, including long-term needs, of States parties in the prevention and detection of transfers of proceeds of corruption and income or benefits derived from such proceeds and in asset recovery.

In its resolution 7/1, the Conference requested the Secretariat, within existing resources, to assist the Working Group in the performance of its functions, including by providing interpretation services in the six official languages of the United Nations.

Documentation

Note by the Secretariat on progress made in the implementation of asset recovery mandates (CAC/COSP/WG.2/2018/2)

3. Forum for advancing practical aspects of asset recovery, including challenges and good practices

At its previous meetings, the Working Group noted the importance of providing a forum for discussing the practical aspects of asset recovery, including challenges and good practices. In addition, it expressed its appreciation for presentations on new legislation on asset recovery adopted by States parties in compliance with the United Nations Convention against Corruption and recommended that the Secretariat strive, *at future meetings*, to foster such pragmatic approaches.

States parties may wish to come prepared to discuss their good practices and are encouraged to share them with the Secretariat in advance, together with relevant

documentation, for dissemination on the relevant page of the United Nations Office on Drugs and Crime (UNODC) website.

Documentation

Note by the Secretariat on the follow-up to the St. Petersburg Statement transmitting the report of the international expert group meeting on beneficial ownership transparency, held in Vienna from 3 to 4 October 2017 (CAC/COSP/IRG/2018/7)

4. Thematic discussions

(a) Timely sharing of information to enable States parties to take appropriate action, in accordance with article 56 of the Convention: collection of data with a view to developing non-binding guidelines

(b) Improving communication and coordination between various asset recovery practitioner networks, with a view to developing guidelines for the proactive and timely sharing of information

In its resolution 6/2, the Conference directed the Working Group to initiate the process of identifying best practices and developing guidelines for proactive and timely sharing of information to enable States parties to take appropriate action, in accordance with article 56 of the Convention.

In its resolution 7/1, the Conference decided that the Working Group should continue its work by, inter alia, continuing to collect data on best practices, with a view to developing non-binding guidelines concerning the timely sharing of information to enable States parties to take appropriate action, in accordance with article 56 of the Convention, and conducting an analysis of how communication and coordination between various asset recovery practitioner networks could be improved, with a view to developing non-binding guidelines for the proactive and timely sharing of information.

States parties may wish to bring to the discussion examples of asset recovery cases illustrating successful practices and challenges in the proactive and timely sharing of information. Such examples may also touch upon the institutions from which such information originated, the inclusion of such information in subsequent mutual legal assistance requests, and confidentiality requirements. Delegations may also wish to come prepared to discuss their experiences related to communication and coordination between various asset recovery practitioner networks.

To facilitate the Working Group's discussion of the matter, a panel discussion on the timely sharing of information in accordance with article 56 of the Convention and on improving communication and coordination between various asset recovery practitioner networks will be organized.

Documentation

Background document prepared by the Secretariat on the timely sharing of information in accordance with article 56 of the Convention and improving communication and coordination between various asset recovery practitioner networks (CAC/COSP/WG.2/2018/5)

5. Forum for discussions on capacity-building and technical assistance

In its resolution 7/1, the Conference requested UNODC, and invited the Stolen Asset Recovery (StAR) Initiative, to continue to provide and develop capacity-building initiatives on asset recovery, including knowledge products and technical tools, upon request and subject to extrabudgetary resources, in response to technical assistance needs identified during country reviews.

In the same resolution, the Conference called upon States parties to take concrete steps to ensure that there are adequate mechanisms in place to manage and preserve the value and condition of assets pending the conclusion of confiscation proceedings

in another State. It encouraged States parties and UNODC to continue sharing experiences on the management of frozen, seized and confiscated assets, identifying best practices as necessary and building on existing resources, and to consider developing non-binding guidelines on that issue. In that connection, the Secretariat has prepared a study on the effective management and disposal of seized and confiscated assets and developed draft non-binding guidelines on the management of frozen, seized and confiscated assets.

States parties may wish to come prepared to discuss their efforts relevant to capacity-building and technical assistance in the area of asset recovery, as well as to discuss their cooperation in that regard with the providers of technical assistance, including the StAR Initiative and UNODC.

To facilitate the Working Group's discussion of the matter, a panel on technical assistance in relation to articles pertaining to chapter V of the Convention will be organized.

Agenda item 5 will be discussed together with item 4, on technical assistance, of the agenda of the ninth session of the Implementation Review Group at a joint meeting of the Working Group and the Implementation Review Group.

Documentation

Note by the Secretariat on progress made in the implementation of asset recovery mandates (CAC/COSP/WG.2/2018/2)

Draft non-binding guidelines on the management of frozen, seized and confiscated assets (CAC/COSP/WG.2/2018/3)

Study prepared by the Secretariat on effective management and disposal of seized and confiscated assets (CAC/COSP/2017/CRP.8 and e-book publication)

6. Adoption of the report

The Working Group is to adopt a report on its meeting, the draft of which will be prepared by the Secretariat.

Annex

Proposed organization of work

Date and time	*Agenda item*	*Title or description*
Wednesday, 6 June		
10 a.m.–1 p.m.	1 (a)	Opening of the meeting
	1 (b)	Adoption of the agenda and organization of work
	5	Forum for discussions on capacity-building and technical assistance[a]
3–5.30 p.m.	5	Forum for discussions on capacity-building and technical assistance[a]
Thursday, 7 June		
10 a.m.–1 p.m.	2	Overview of progress made in the implementation of asset recovery mandates
	3	Forum for advancing practical aspects of asset recovery, including challenges and good practices
3–6 p.m.	4	Thematic discussions: (a) Timely sharing of information to enable States parties to take appropriate action, in accordance with article 56 of the Convention: collection of data with a view to developing non-binding guidelines; (b) Improving communication and coordination between various asset recovery practitioner networks, with a view to developing guidelines for the proactive and timely sharing of information
	6	Adoption of the report

[a] Agenda item 5 will be discussed together with item 4, on technical assistance, of the agenda of the ninth session of the Implementation Review Group at a joint session of the Working Group and the Implementation Review Group.